

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

In re:

GORDMANS STORES, INC., *et al.*,

Debtors.

Chapter 11

Case No. 17-80304 (TLS)

(Jointly Administered)

**REQUEST FOR ALLOWANCE AND
PAYMENT OF CHAPTER 11
ADMINISTRATIVE EXPENSES**

Oracle America, Inc., successor in interest to MICROS Systems, Inc. (“Oracle”), a creditor and contract counter-party in the above-captioned jointly administered Chapter 11 cases, hereby requests allowance and payment of an administrative expense in the amount of \$881,839.85 pursuant to sections 503(a) and (b) of the Bankruptcy Code (“Administrative Request”), for post-petition goods and products provided, and services rendered, by Oracle to Gordmans Stores, Inc. (the “Debtors”).

1. The Debtors filed a voluntary Chapter 11 bankruptcy petition on March 13, 2017 (“Petition Date”). An order directing joint administration was entered on the Petition Date. The Debtors continue to operate as Debtors In Possession.

2. Oracle submits this Administrative Request pursuant to the Notice of Deadlines For the Filing of (A) Proofs of Claim, Including Claims Arising Under Section 503(B)(9) of the Bankruptcy Code, (B) Administrative Claims, (C) Rejection Damages, and (D) Premise Liability Claims (“Claims Bar Notice”). Pursuant to the Claims Bar Notice, the last day to file an administrative claim against the Debtors’ estate arising between the Petition Date and June 5, 2017 is June 5, 2017.

3. Oracle is a licensor of computer software and provides software related products, technical support, maintenance, educational materials and programs, as well as cloud based services, which often are designed for the customer’s specific needs.

4. The Debtors owe \$881,839.85 in administrative expenses for post-petition support services provided by Oracle to the Debtors. These services are evidenced by its

outstanding invoices (“Invoices”). Attached hereto as **Exhibit A** is a true and correct copy of the Invoices reflecting the amounts owed by Debtors to Oracle for post-petition services due and owing.

5. Oracle also filed a general unsecured claim which includes certain of the Invoices. Oracle is not seeking a duplicative recovery; given the nature of the Invoices and the dates on which services were provided, Oracle seeks to ensure the Invoices are captured as either a general unsecured claim or an administrative expense, as appropriate.

6. Oracle asserts that the Debtors have used, and continue to use, Oracle’s services throughout the tenure of this Chapter 11 case. Therefore, Oracle has provided ongoing tangible value to the Debtors’ estate.

WHEREFORE, Oracle respectfully requests allowance and payment of an administrative expense to Oracle in an amount of not less than \$881,839.85, and reserves its rights to supplement this Administrative Request if additional unpaid administrative amounts accrue.

Dated: June 5, 2017

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NOTICE PURSUANT TO NEBRASKA BANKRUPTCY RULE 9013-1

On June 5, 2017, Oracle America, Inc., filed its Request for Allowance and Payment of Chapter 11 Administrative Expenses Pursuant to 11 U.S.C. § 503(a) and (b) (the “Motion”) with this Court.

You are hereby notified that any objections or requests for hearing (collectively, “Objections”) on the Motion must be filed and served on or before June 26, 2017.

If no Objection is timely filed and served upon the undersigned on or before June 26, 2017, the United States Bankruptcy Court for the District of Nebraska may enter an Order on the Motion without further notice of hearing. If an Objection is timely filed and served, a hearing will be scheduled by the Court on the Motion and any Objections thereto.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on June 5, 2017, a true and correct copy of the foregoing was served via electronic notification to all parties receiving electronic notice in this case, and by electronic mail on the following:

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